

REMARKS

Examiner Kielin is thanked for his ongoing and careful examination of the subject Patent Application.

Applicant apologizes for not addressing the references applied in the rejection, but only addressing the Lin reference. The added additional arguments in response to Examiner's Advisory Action of 07/16/01 are entered below.

2. Reconsideration of the rejection of Claims 1-2, and 4, 6, 10-12 under 35 U.S.C. 103(a) as being unpatentable over **Lin** (US 6,093,656) in view of **Datta et al.**(US 5,567,300) is requested, in light of the following additional arguments.

Regarding (1), **Fiordalice et al.** in U.S. Patent 5,578,523, col 1, line 59 to column 2, line 27 states the obvious that dishing is a well known problem when using CMP. His solution, though, differs significantly from Applicant's invention in that he utilizes a polish assisting layer 31 (col 4, line 43) which CMP polishes at nearly the same rate as interconnect metal 42 to prevent dishing of interconnect portion 48 (col 7, lines 18-19). The steps outlined in claim 1 of Applicant's invention clearly describe a different method which Applicant could not have derived from reading **Fiordalice**.

Regarding (3), while **Datta et al.** in U.S. Patent 5,567,300 teaches reverse electroplating, **Datta's** method does not include the critical steps of:

- (a) forming a reverse tone photoresist mask;
- (b) etching away that part of said copper layer and said barrier metal layer not covered by said reverse tone photoresist mask by means of reverse current electroplating;
- (c) stripping of said photoresist;
- (d) planarizing by chemical mechanical polishing (CMP) said now exposed copper layer and barrier metal layer;

Applicant's method thus is not only different from Datta but also from Fiordalice as asserted above, and also from Lin as argued in Applicant's reply to Examiner's Paper #11. The combination of features claimed by Applicant do not exist in any of the U.S. Patents recited by the Examiner and Applicant's invention, therefore, cannot be considered obvious.

Based on the arguments above, Applicant believes that claim 1 is now allowable.

Regarding claim 4, as argued above, independent claim 1 is believed allowable, therefore, dependent claim 4 is also believed allowable.

Regarding claim 6, as argued above, independent claim 1 is believed allowable, therefore, dependent claim 6 is also believed allowable.

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Regarding claims 11 and 12, as argued above, independent claim 1 is believed allowable, therefore, dependent claims 11 and 12 are also believed allowable.

All claims are now believed to be allowable.

It is requested that should Examiner Kielin not find that the Claims are now Allowable that he please call the undersigned attorney at (845) 452-5863, to overcome any problems preventing allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'SBA', with a stylized flourish extending from the end.

Stephen B. Ackerman, Reg # 37,761